



Factsheet 42: Global VAD Status

(January 2022)

A population group equivalent to everyone living in Australia, the UK and the USA – the AUKUS alliance - now live in a country where a compassionate choice at the end of life has been made legal. A Voluntary Assisted Dying (VAD) law has been passed - or a court has ruled - that a medically assisted death is legal in 11 countries, 10 states and Washington DC in the USA and five states in Australia.

Some parliaments were persuaded to pass their laws when the court gave them an ultimatum: pass a VAD law or the court will allow VAD with no regulation.

On New Year's Eve 2021, Austria, a predominantly Catholic country, became the 13th country to provide its citizens with a compassionate legal choice of an assisted death at the end of life. Voluntary Assisted Dying was approved by Austria's parliament on the last possible date allowed by a ruling of the constitutional court, which gave the parliament a year to lift the ban on assisted dying.

Similar to Voluntary Assisted Dying laws in Australia and the USA, each person in Austria will need to be assessed by two doctors before they will be eligible to access VAD.

While the Catholic Church remains the most vocal opponent of VAD in western democracies, another predominantly catholic country, Spain, also legalised VAD in 2021. Spain became the fourth European country to permit VAD when the legislation passed through the Spanish parliament in March 2021.

By January 2022, 422 million people around the world have (or will have once the law commences) access to a compassionate end of life choice if they have a terminal illness and meet all the eligibility criteria.

The 422 million includes one in five citizens in the USA and two in three Australians.

2021 was a massive year in Australia for delivering a compassionate choice at the end of life, with legislation passing the Tasmanian, South Australian and Queensland Parliaments; the commencement of VAD in WA, after the legislation was passed in 2019; and legislation passing the lower house in NSW.

Countries which have passed VAD laws are Austria, Belgium, Canada, Luxembourg, Netherlands, New Zealand, Spain, Switzerland.

Countries where the courts have authorised VAD are Colombia, Germany and Italy.

In the USA, 10 states and Washington DC have legalised VAD.

In Australia, five of the six states have legalised VAD; in NSW a VAD law has passed the lower house and is waiting debate in the upper house in early 2022; the ACT and NT are prohibited by Commonwealth legislation from passing a VAD law.

See Table (over page) for detail.

Countries with a VAD law (January 2022)

Country	Population (millions)	Year passed	Year commenced
Austria	9	2021	2021
Belgium	11.6	2002	2002
Canada	38.5	2016	2016
Colombia	51	1997	2014 (following Court ruling)
Germany	83.1	2020	Court ruling to be tested
Italy	59.1	2019	Court ruling being tested (2021)
Luxembourg	0.6	2009	2009
Netherlands	17.7	2001	2002 (permitted since 1973)
New Zealand	5.1	2019	2021
Spain	47.4	2021	2021
Switzerland	8.7	1942	1942
USA	(73.6 of 332)		
Oregon	4.2	1994	1997
Washington	7.7	2008	2009
Montana	1.1	2009	Court ruling Baxter v Montana
Vermont	0.7	2013	2013
California	39.2	2015	2016
Colorado	5.8	2016	2016
Washington DC	0.7	2016	2017
Hawaii	1.4	2018	2019
New Jersey	9.3	2019	2019
Maine	1.4	2019	2019
New Mexico	2.1	2021	2021
Australia	(16.9 of 25.7)		
Victoria	6.7	2017	2019
Western Australia	2.7	2019	2021
Tasmania	0.5	2021	Anticipated in 2022
South Australia	1.8	2021	Anticipated in 2022
Queensland	5.2	2021	Anticipated in 2022